

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

GREG MANNING, et. al.

Appellants,

v.

MERRILL LYNCH PIERCE FENNER &
SMITH, INC., et al.

Respondents.

Civil Action No.: 12-4466 (JLL)

ORDER

LINARES, District Judge

This matter comes before the Court upon a Mandate of the United States Court of Appeals for the Third Circuit. (ECF No. 70); and

WHEREAS, by Opinion dated March 20, 2013, this Court found that upon *de novo* consideration of the portions of the Report and Recommendation to which there were objections, there is federal jurisdiction over the instant matter. Accordingly, the Court denied Plaintiffs' motion to remand. And

WHEREAS, by Opinion dated November 10, 2014, Judges Smith, Vanask, and Sloviter of the United States Court of Appeals for the Third Circuit held that there is no federal-question jurisdiction over this suit. Accordingly, The Court of Appeals reversed the order denying remand, and directed this Court to remand this case to the Superior Court of New Jersey. And

WHEREAS, by Mandate dated February 10, 2015, Judges Smith, Vanask, and Sloviter of the United States Court of Appeals for the Third Circuit, ADJUDGED and ORDERED that the Order of the District Court entered March 20, 2013, is REVERSED, and the matter is REMANDED to the District Court for further proceedings. Therefore,

IT IS on this 18 day of February, 2015,

ORDERED that this matter is REMANDED to the Superior Court of New Jersey; and it is further

ORDERED that the Clerk's Office is hereby directed to close the Court's file in this matter.

IT IS SO ORDERED.



JOSE L. LINARES, U.S.D.J.